

Remarks

This is in response to the third non-final Office Action mailed August 29, 2006, which rejected claims 1, 3, 6-12, 14, 17-18, 20-21 and 23-25, and objected to claims 2, 4-5, 15-16, 19 and 22. The Applicant appreciates the continued diligence provided to the case by the Examiner.

Amendments to the claims have been presented above to cancel without prejudice previously presented claims 1-7, 10-12 and 14-25, and to add new claims 28-51. The new claims are directed to subject matter identified as allowable by the Examiner.

New claim 28 is an independent apparatus claim that generally features *"a flow control device comprising a blower assembly which provides blowing pressure to the downstream trailing edge."* Support for this language includes the language of allowable claims 2 and 22, and FIGS. 2 and 3A. Dependent claims 29-37 depend from base claim 28, and support for these new dependent claims is found in the various previously presented claims cancelled above.

New claim 38 is an independent apparatus claim that generally features *"a flow control device comprising a vacuum assembly which provides suction pressure solely to a region proximate the upstream leading edge."* Support includes the language of allowable claims 4 and 22, as well as FIG. 4. Dependent claims 39-43 depend from base claim 38, and support for these new dependent claims is found in the various previously presented claims cancelled above.

New claim 44 is an independent method claim that generally features a step of *"supplying blowing pressure from a blower assembly to the downstream trailing edge."*

Support for new claim 44 includes that set forth above for new claim 28. Dependent claims 45-47 are supported by various previously presented claims, as before.

New claim 48 is an independent method claim that generally features a step of *"supplying suction pressure proximate to the upstream leading edge without providing said suction pressure proximate to the downstream trailing edge."* Support for new claim 48 includes that set forth above for new claim 38. Dependent claims 45-47 are supported by various previously presented claims, as before.

These amendments are believed to be proper, do not introduce new matter, and serve to place the application in proper condition for reconsideration and allowance.

#### **Allowable Subject Matter**

The Applicant gratefully acknowledges the indication of allowability of dependent claims 2, 4-5, 15-16, 19 and 22. It is believed that all pending claims 28-51 are patentable over the art of record.

#### **Rejection of Claims Under 35 U.S.C. §103(a)**

Claims 1, 6-7, 10-12, 14, 18, 20-21 and 23-24 were rejected as being obvious over U.S. Patent No. 5,818,658 to Balster et al. ("Balster '658") in view of U.S. Patent No. 6,728,062 to Ou-Yang et al. ("Ou-Yang '062"). Claims 17 and 25 were rejected as being obvious over Balster '658 and Ou-Yang '062, further in view of U.S. Patent No. 6,259,576 to Ahn ("Ahn '576").

As noted previously, the Applicant has hereinabove elected to cancel the previously presented claims in view of the newly presented claims 28-51. It is noted that both Balster

'658 and Ou-Yang '062, as well as the remaining art of record, are silent with regard to disclosing, teaching or suggesting the subject matter of the various respective independent claims 28, 38, 44 and 48, or the subject matter of the claims depending therefrom.

Examination and allowance of new claims 28-51 are accordingly solicited.

### Conclusion

The Applicant respectfully requests reconsideration and allowance of all of the claims pending in the application. This Response is intended to be a complete response to the non-final Office Action mailed August 29, 2006.

Should any questions arise concerning this response, the Examiner is invited to contact the below signed Attorney.

Respectfully submitted,

By: 

Randall K. McCarthy, Registration No. 39,297  
Fellers, Snider, Blankenship, Bailey and Tippens  
100 N. Broadway, Suite 1700  
Oklahoma City, Oklahoma 73102  
Telephone: (405) 232-0621  
Facsimile: (405) 232-9659  
Customer No. 33900